

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA

IN RE:)	
)	
CHAPTER 12 PLAN)	GENERAL ORDER No. 05-06
PURSUANT TO 11 U.S.C.)	
§ 1225(b)(1)(C) and § 1222(a)(2)(A))	
)	

This General Order, effective October 17, 2005, amends the procedures contained in Nebraska Rules of Bankruptcy Procedure 3015-1(A) adopted on January 28, 2005, and effective April 1, 2005, with regard to Chapter 12 cases.

The Court shall confirm a plan only if the plan provides a basis for determining whether the requirements of 11 U.S.C. § 1225(a)(4) and (b) have been met. The requirements of § 1225(a)(4), §1225(b)(C), and §1225(a)(6)-(7) shall be deemed not satisfied if a plan does not contain at least the information in Neb. R. Bankr. P. 3015-1(A) and the additional requirements in paragraphs 12, 13 and 14.

1. A statement disclosing any change of the debtor's assets or liabilities from the date of filing of the petition through the date of the filing of the plan;
2. A cash-flow projection for the year immediately following confirmation of the proposed plan, including and identifying debtor's farm and non-farm income sources;
3. Assumptions and sources upon which the cash-flow projection is based, with historical or other data justifying such assumptions;
4. Farm income and expense information in a form comparable to Internal Revenue Code Schedule F forms filed by the debtor for the previous four (4) years plus a statement of debtor's non-farm income for the tax year preceding the filing of the motion;
5. Projected administrative expenses, including attorney fees;
6. A plan summary indicating the dates, amounts and payees of all amounts to be paid under the plan as provided by the Chapter 12 Trustee;
7. If the plan proposes the sale of assets, a statement from a qualified tax accountant or attorney, setting forth the probable tax consequences thereof;
8. The basis of any valuation of property, including names of appraisers and dates of appraisal, if any;

9. A statement with detailed information, specifying the need for the plan payments to be made over a period longer than three years;
10. If the debtor proposes to retain secured property, a statement itemizing such property, the value of the property, and the basis of the valuation estimate;
11. A liquidation analysis sufficient to show compliance with 11 U.S.C. § 1225(a)(4), including a statement from a qualified tax accountant or attorney as to tax liabilities from liquidation, if any;
12. If the debtor elects to proceed under 11 U.S.C. § 1225(b)(1)(C), then, in such event, the debtor shall attach a projected disposable income statement for the term of the plan;
13. In the event the debtor asserts that certain taxes are to be treated as general unsecured claims under 11 U.S.C. § 1222(a)(2)(A), the debtor shall provide to the affected governmental units copies of the debtor's complete tax returns for the three years prior to the filing for Chapter 12 relief; and
14. The debtor has paid all amounts that are required under a domestic support obligation and that first become payable after the date of the filing of the petition if the debtor is required by a judicial or administrative order, or by statute, to pay such domestic support obligation.

IT IS SO ORDERED.

DATED: October 13, 2005

/s/ Timothy J. Mahoney
Timothy J. Mahoney, Chief Judge